

interconnecting material (26) which interconnects the base structure (16) and the over structure (24) the interconnecting material being light-polymerizable, the [[parts]] base structure, over structure, and coupling element being so designed and constructed that a time consuming firing of the assembly of the base structure, over structure, and coupling element can be omitted."

It is apparently the examiner's position that the underlined material would require further consideration and/or search. [Applicant says "apparently", as it is not clear from the brief statement of the examiner if all of the amendments to the independent claims are objectionable.] It is applicant's position that the examiner is in error. Thus, previously presented claim 13, which was cancelled, as its subject matter was incorporated into claim 1, required:

"A dental restoration according to claim 9, wherein the coupling element is formed of a plastic which is a polymerizable plastic, preferably a light-hardenable or thermally hardenable plastic."

Clearly there is basis in claim 1, as currently amended, for the limitation of "the interconnecting material being light-polymerizable", as this was set forth in claim 13, which indirectly depended from claim 1. Clearly, if applicant had amended claim 13 to incorporate the subject matter of claim 1, rather than amend claim 1 to incorporate the subject matter of claim 13, the examiner could not take the position that claim 13 presented new issues which require a further search and/or consideration.

The remaining underlined portions of claim 1, were presented in response to the examiner's §112 rejection. Thus, this material was added to clearly identify the parts. While it was believed that this was unnecessary, this amendment was done simply to avoid asking the examiner to reconsider his 112 rejection, as applicant believes that the "parts" previously set forth should have been apparent from a reading of the claim.

In the last amendment, applicant pointed out the basis for the amendments to the claims. Thus applicant stated:

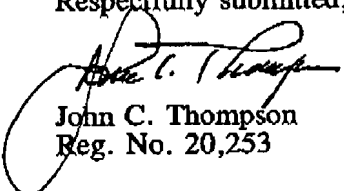
"In the last office action the examiner rejected all pending claims on 35 U.S.C. 112 as being indefinite because the terms "parts" and "assembly" lacked sufficient antecedent basis. Accordingly, these terms have been deleted and the various parts, i.e., the base structure, the interconnecting material, and the over structure have been specified. Accordingly, the examiner is respectfully requested to withdraw this grounds of rejection.

"Claims 1 and 20 have been amended to incorporate the subject matter previously set forth in cancelled claims 13 and 23. Thus, claims 1 & 20 now

recite that the interconnecting material is made of a light polymerizable material, which interconnecting material may be irradiated with light to harden it. This is a feature not taught by the primary reference to Braiman."

If the examiner fails to act upon the claims now before him he is respectfully requested to treat this as a petition under 37 CFR 1.181.

Respectfully submitted,



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